

EXHIBIT 1

CURRICULUM VITA OF FRANCIS O. SCARPULLA

Mr. Scarpulla specializes in prosecuting complex civil cases, primarily antitrust lawsuits, most of which are class actions.

Upon graduation from Hastings School of Law in June 1967, Mr. Scarpulla became an associate in the Law Offices of Joseph L. Alioto with responsibilities for the preparation of complex civil antitrust cases. In November 1970, Mr. Scarpulla formed his own firm and continued prosecuting complex civil cases, representing plaintiffs in antitrust lawsuits, many of which were class actions. In June 2006, Mr. Scarpulla joined the firm of Zelle Hofmann Voelbel & Mason as a senior partner and led that firm's antitrust practice until March 2015, when Mr. Scarpulla returned to his original firm.

Mr. Scarpulla has participated in many federal antitrust class actions which have served to develop both state and federal law. The federal antitrust class actions include the *Gypsum Wallboard Antitrust Litigation*, *Sugar Antitrust Litigation*, *Folding Cartons Antitrust Litigation*, *Fine Paper Antitrust Litigation*, *Corrugated Container Antitrust Litigation*, *Pharmaceutical Antitrust Litigation*, *Microsoft Monopolization Antitrust Litigation*, *Cosmetics Antitrust Litigation*, and more recently in the *DRAM*, *SRAM*, and *LCD MDL* cases. Mr. Scarpulla and his firm participated as lead counsel in many class actions in California, including those which developed the law involving state-court antitrust jurisdiction (*St. Joe Paper Company v. Superior Court* (1981) 120 Cal.App.3d 991, 175 Cal.Rptr. 94); joinder of parties and fraudulent concealment (*Union Carbide Corporation v. Superior Court* (1984) 36 Cal.3d 15, 201 Cal.Rptr. 580, 679 P.2d 14); federal pre-emption policies (*Crown Oil Corporation v. Superior Court* (1986) 177 Cal.App.3d 604, 223 Cal.Rptr. 164, *re-hearing denied*, March 13, 1986, *hearing denied*, May 22, 1986, *U.S. S.Ct. appeal dismissed*, October 14, 1986); and the propriety of class action certification in such actions (*B.W.I. Custom Kitchen v. Owens-Illinois, Inc.* (1987) 191 Cal.App.3d 1341, 235 Cal.Rptr. 228, *re-hearing denied*, March 30, 1987, *hearing denied*, July 2, 1987, *request for depublication denied*, July 20, 1987).

In addition to practicing law, Mr. Scarpulla was the past Chair of the Antitrust and Trade Regulation Section of the California State Bar. He has participated in both ABA and CEB panels on competitive business practices, as well as having served as a guest lecturer in MBA programs. Mr. Scarpulla was also an instructor at The University of California Hastings School

of Law, teaching legal writing classes during 1985 and 1988. He was an adjunct professor of Antitrust Law at Golden Gate University Law School. He is invited to teach Antitrust Law at The University of San Francisco School of Law during the fall of 2105. In addition to having an “AV” rating in *Martindale* for the past 30 years, Mr. Scarpulla is now rated “AV Preeminent” in *Martindale*. Mr. Scarpulla is on the approved list of mediators for the Northern District of California, the State Bar of California, and the San Francisco Bar Association. Mr. Scarpulla was nominated by fellow lawyers to the *Best Lawyers in America* listing. He was one of the authors of the California State Bar's publication *California Antitrust Law*, writing the section on indirect-purchaser class actions, and a co-author on the LexisNexis publication *California Class Actions and Procedures*. Mr. Scarpulla authored a chapter on “Aggression in Mediation” for the treatise published by the International Bar Association entitled “Mediation Techniques.” Mr. Scarpulla was named “Antitrust Lawyer of the Year” for 2005 by the Antitrust Section of the California State Bar. In 2010, Mr. Scarpulla was admitted to the Rolls of Solicitors in the United Kingdom. Mr. Scarpulla has been named a “Super Lawyer” in California for several years, including 2009, 2010, 2011, 2012, 2013, and 2014. In 2014, Mr. Scarpulla was named a Tier 1 plaintiffs antitrust attorney by Chambers & Partners U.S.A. He was named one of the Top 100 Lawyers in California by the Daily Journal in 2012.

For a detailed list of cases in which Mr. Scarpulla has participated, see the attached Appendix 1.

Articles & Presentations

“Plaintiffs’ strategies for pursuing private damage claims,” 2010 International Cartel Workshop, Paris, February 10-12, 2010, panelist.

California State Antitrust & Unfair Competition Law, 2009, co-author.

“B.W.I., California’s Favorable Class Action Jurisprudence, and Their Post-CAFA Application,” *Competition*, Vol. 17, No. 2, Fall 2008, co-author.

California Class Actions and Procedures (LexisNexis), co-author.

California Antitrust Law (California State Bar publication), co-author.

“Thinking Globally About Recovery Actions in International Cartel Cases – A U.S. Perspective,” paper for Oxford Centre for Competition Law and Policy: The Antitrust Enforcement Symposium, Pembroke College, Oxford, United Kingdom, June 28-29, 2014, co-author, pending publication by Oxford University Press.

BAR AND COURT ADMISSIONS

- United States Supreme Court
- United States Circuit Courts of Appeals for the Fifth, Seventh and Ninth Circuits
- United States District Courts: Northern, Central, and Eastern Districts of California; Northern District of Illinois; Eastern District of Pennsylvania
- Supreme Court and all inferior courts of the State of California
- Solicitor, United Kingdom

APPENDIX

COMPLEX LITIGATION CASES

- (1) *Plumbing Fixtures Antitrust Litigation* (E.D. Pa.) – price-fixing case brought on behalf of classes of public bodies and various private clients. *See Lindy Bros. v. American Radiator & Standard Sanitary Corp.*, 487 F.2d 161 (3rd Cir. 1973).
- (2) *Asphalt Antitrust Litigation* (N.D. Cal., D. New Mex., D. Idaho, D. Colo.) – price-fixing case brought on behalf of various public bodies. *See State of New Mexico v. American Petrofina, et al.*, 501 F.2d 363 (9th Cir. 1974).
- (3) *Newspaper Publishing Monopolization Litigation* (N.D. Cal.) – brought on behalf of competing newspaper. *See San Francisco Bay Guardian v. San Francisco Chronicle, et al.*, 344 F.Supp. 1155 (N.D. Cal. 1972).
- (4) *Gypsum Wallboard Antitrust Litigation* (N.D. Cal.) – price-fixing case brought on behalf of a national class of governmental bodies. *See In re: Gypsum Cases*, 1974-2 Trade Cases &74,272 (N.D. Cal. 1974).
- (5) *Albacore Monopolization Litigation* (N.D. Cal.) – Sherman 1 and 2 case brought on behalf of a class of albacore fishermen. *See Western Fishboat Owners Association v. Castle & Cooke, Inc., et al.*, C-74-1784 (N.D. Cal. 1974).
- (6) *Processed Potato Price Fixing Litigation* (S.D. Cal.) – brought on behalf of a class of restaurants. *See Love's Wood Pit Barbecue v. Bell Brand Foods, Inc., et al.*, 1974 Trade Cases &74,905 (S.D. Cal. 1974).
- (7) *Boise City, Idaho v. Monroe, Inc., et al.*, Civil Action No. 1-76-127 (D. Idaho) – price-fixing action brought on behalf of the municipality of Boise City, Idaho, against certain ready-mix concrete companies.
- (8) *In re: Arizona Bakery Products Litigation*, Civil No. 74-208A PHX CAM (D. Ariz.) – antitrust price-fixing action brought on behalf of five classes of Arizona purchasers of bakery products.
- (9) *Spinetti, et al. v. Atlantic Richfield Company*, C-75-0324-RFP (N.D. Cal.) – claims of 80 petroleum wholesale distributors against their suppliers for violations of antitrust and federal energy laws.
- (10) *Presidio Golf Club of San Francisco, Inc., et al. v. National Service Industries, Inc.*, C-71-945-SW (N.D. Cal.) – price-fixing action brought on behalf of class of linen service users against linen suppliers.
- (11) *In re: Arizona Dairy Products Litigation*, Civil No. 74-569A PHX CAM (D. Ariz.) – antitrust price-fixing action brought on behalf of five classes of Arizona purchasers of dairy products.

- (12) *Folding Cartons Antitrust Litigation*, MDL 250 (N.D. Ill.) – antitrust price-fixing action brought on behalf of direct purchaser nationwide class of folding carton users.
- (13) *In re: Hawaii Beer Litigation*, Civil No. 77-0294A (D. Ha.) – antitrust price-fixing class action brought on behalf of a class of purchasers of beer in the State of Hawaii.
- (14) *In re: Sugar Industry Antitrust Litigation*, MDL 201 (N.D. Cal.) – antitrust price-fixing action brought on behalf of three private classes of sugar purchasers in the Western United States.
- (15) *Danielson v. Union Oil Company of California* (N.D. Cal.) – brought by petroleum wholesale distributor against his supplier for violation of federal antitrust and energy laws.
- (16) *Boardwalk Markets, Inc., et al. v. Associated Foods Stores, et al.* (N.D. Cal.) – brought by minority shareholders in wholesale grocery cooperative alleging violations of federal securities laws.
- (17) *National Super Spuds v. Gearhart Farms, Inc., et al.* (S.D. N.Y.) – commodities futures fraud action alleging manipulation of May 1976 Maine Potato Futures Contract.
- (18) *Fine Paper Antitrust Litigation (State of Arizona v. Boise Cascade, et al.)*, MDL 235 – antitrust price-fixing action by state agencies who purchased fine paper products.
- (19) *In re: California Armored Cars Litigation*, MDL 387 – antitrust price-fixing action brought on behalf of private class of purchasers in California.
- (20) *Busy Boy Markets, Inc., et al. v. A.R.A. Services, Inc., et al.*, Civil Action No. C-79-2156-SW (N.D. Cal. 1980) – antitrust price-fixing action brought on behalf of purchasers of publications.
- (21) *In re: California Wiring Devices Antitrust Litigation*, Civil Action No. 759-734 (S.F. Sup. Ct. 1981) – antitrust indirect-purchaser action on behalf of California consumers of wiring devices.
- (22) *In re: Concrete Antitrust Litigation*, MDL 296 – antitrust action for Arizona ready-mix purchasers.
- (23) *Marks v. San Francisco Real Estate Board*, Civil Action No. C-71-369-MHP – antitrust, class action on behalf of Bay Area class of home sellers who paid fixed real estate commission rates.
- (24) *Solvoil Company v. Lamplight Farms, Inc.*, Civil Action No. 755-503 (S.F. Sup. Ct.) – antitrust/fraud action by terminated distributor against manufacturer-supplier.
- (25) *THC Financial Litigation*, Civil No. 76-0448C (D. Ha.) – securities fraud class action brought on behalf of the depositors and holders of investment certificates and debentures in THC Financial Corporation.